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2 **S A C K E T T**  
**AND ASSOCIATES**

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8 Attorney for Plaintiff

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10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 JASON J. MONTGOMERY, ) Civil No. 05-01830 PVT  
13 Plaintiff, )  
14 v. ) STIPULATION AND ORDER  
15 JO ANNE B. BARNHART, )  
Commissioner, Social Security )  
16 Administration, )  
17 Defendant. )  
18 )  
19 \_\_\_\_\_)

20 Plaintiff and Defendant, through their respective attorneys,  
hereby stipulate that Plaintiff shall have a second extension of  
time up through and including Wednesday, November 9, 2005 in  
which to e-file his Motion for Summary Judgment. This extension  
is necessitated by the number of other cases Plaintiff's counsel  
currently has before the district court that also require  
briefing.

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3 KEVIN V. RYAN  
4 United States Attorney  
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Dated: October 11, 2005

/s/  
7 SARA WINSLOW  
8 Assistant U.S. Attorney  
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10 Dated: October 7, 2005

/s/  
11 HARVEY P. SACKETT  
12 Attorney for Plaintiff  
JASON J. MONTGOMERY  
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IT IS SO ORDERED.

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15 Dated: *10/11/05*

*Patricia V. Trumbull*  
16 HON. PATRICIA V. TRUMBULL  
17 Magistrate District Judge  
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